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11/21/02
PATENT

ATTORNEY DOCKET NO. 054163-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Stephen A. JOBLING *et al.*

Application No. 09/297,703

Filed: July 19, 1999

For: IMPROVEMENTS IN OR RELATING TO STARCH
CONTENT OF PLANTS

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)
)
) Group Art Unit: 1638
)
) Examiner: Anne Kubelik
)
)

Commissioner of Patents
Washington, D.C. 20231

RECEIVED

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Sir:

TECH CENTER 1600/2900

NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated May 16, 2002, rejecting claims 1-2, 4-8, 11, 16-27, and 32.

A Petition for a three (3) month extension of time responding to the final rejection is being filed concurrently herewith.

The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$320.00 for a Notice of Appeal. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-

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0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS

Dated: November 18, 2002

Customer No. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel: (202) 739-3000
Fax: (202) 739-3001


Erich E. Veitenheimer
Reg. No. 40,420